

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

JUAN RODRIGUEZ,
Defendant.

96-Cr-959 (SHS)

ORDER

SIDNEY H. STEIN, U.S. District Judge.

On May 1, 2023, defendant Juan Rodriguez moved to reduce his sentence pursuant to 18 U.S.C. § 3582(c)(1), known as the “compassionate release” statute. (ECF No. 174; *see also* ECF No. 176.) Rodriguez predicated his motion on the “unusually long sentence” provision of U.S.S.G. § 1B1.13(b). (*See* ECF No. 176.) On January 16, 2025, this Court denied the motion, concluding that Rodriguez had not identified a change in the law that “would produce a gross disparity between the sentence being served and the sentence likely to be imposed at the time the motion is filed,” as section 1B1.13(b)(6) requires. *United States v. Rodriguez*, No. 96-cr-959, 2025 WL 212766 (S.D.N.Y. Jan. 16, 2025) (the “January 16 Opinion”).

On January 26, 2025, Rodriguez moved for reconsideration of the January 16 Opinion. (ECF No. 191.) The Court denied that motion as well, as Rodriguez had not established any ground justifying reconsideration. *See United States v. Rodriguez*, No. 96-cr-959, 2025 WL 763576, at *1 (S.D.N.Y. Mar. 11, 2025) (the “March 11 Opinion”) (“Because Rodriguez has failed to show the existence of an intervening change of controlling law, new evidence previously unavailable, a clear error in the Court’s January 16 Opinion, or a need to prevent manifest injustice, Rodriguez’s motion for reconsideration is denied.”).

Now, Rodriguez asks this Court to take judicial notice of his indictment (ECF No. 16), the trial court’s jury instructions (ECF No. 176 at 34-67), and the jury verdict form. (ECF No. 195.) He contends that doing so will lead “the district court [to] review or reconsider to grant his compassionate release” motion. (*Id.* at 2.) Pursuant to Federal Rule of Evidence 201, the Court may take notice of adjudicative facts that are “not subject to reasonable dispute because [they] . . . can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.” Fed. R. Evid. 201(b)(2). The Court grants Rodriguez’s motion for judicial notice of his indictment, the trial court’s jury instructions, and the jury verdict form.

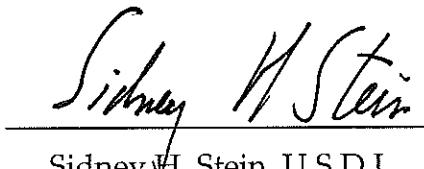
The Court considered these materials in its prior decisions. *See, e.g., Rodriguez*, 2025 WL 763576, at *2 (referencing Rodriguez's indictment (ECF No. 16) and relevant parts of the jury instructions (ECF No. 176 at 39-44)). Thus, while the Court takes judicial notice of these documents, no further relief is appropriate.

The Clerk of Court is directed to mail a copy of this Order to defendant Juan Rodriguez as follows: Juan Rodriguez [19848-050], FCI Ray Brook, Federal Correctional Institution, P.O. Box 900, Ray Brook, NY 12977.

Dated: New York, New York

April 22, 2025

SO ORDERED:

A handwritten signature in black ink, appearing to read "Sidney H. Stein", is written over a horizontal line.

Sidney H. Stein, U.S.D.J.